



JPW

PATENT  
Customer No. 22,852  
Attorney Docket No. 09797.0002-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Peiyuan WANG et al. ) Group Art Unit: 1612  
 )  
Application No.: 10/632,997 ) Examiner: Carlic K. Huynh  
 )  
Filed: August 1, 2003 )  
 )  
For: COMPOUNDS WITH THE ) Confirmation No.: 8974  
BICYCLO[4.2.1]NONANE )  
SYSTEM FOR THE TREATMENT )  
OF FLAVIVIRIDAE INFECTIONS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a statement as specified by Section 1.97(e).

The following constitutes the statement specified by 37 C.F.R. § 1.97(e). Each document listed in this Information Disclosure Statement was first cited in a communication from the European Patent Office in a counterpart foreign application,

and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

The following constitutes the statement specified by Section 1.704(d) required to avoid a negative patent term adjustment. Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application, and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. In accordance with 37 C.F.R. § 1.704(d), no negative patent term adjustment should result from this Information Disclosure Statement.

Copies of the listed foreign and non-patent literature documents are attached. A copy of the U.S. patent is not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language document, FR 2 766189 A1, Applicant submits herewith an English language Derwent abstract in lieu of a statement of relevance or translation of the non-English language patent. See M.P.E.P. 609.04(a)(III).

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines

that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 4, 2008

By: Krista M. Bianco  
Krista M. Bianco  
Reg. No. 61,839